

# KARAPATAN-Bikol

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## Fact Finding Mission Report

Sitio Abgao, Brgy. Lacag, Daraga, Albay

November 19, 2004

### BACKGROUND:

November 10, around 8:00 in the evening Orwena, wife of Joel Baclao called the co-workers of Joel telling them that Joel was shot. His face was shattered and died on the spot.

Last August 26, 2004 around 30 military men conducting foot patrol in Brgy. Lacag, went to the house of Joel. They tried to enter but were prevented from doing so when they failed to present a search warrant that Joel's father-in-law, Wenifredo Marinay demanded from them (Annex A).

Two days later, Joel reported to the KARAPATAN-Bikol the killing incident that happens in Brgy. Tagoytoy. The victim was Generoso Sadullo, 69 years old, a resident of the said barangay and also a member of the United Church of Christ in the Philippines (UCCP), was shot dead inside his house by unidentified gunmen.

Joel Baclao was an active member of UCCP and the coordinator of **ANDUROG MAYON**, a relief and rehab program of the National Council of Churches in the Philippines (NCCP) helping the communities affected by the Mayon Volcano eruptions. He was also the regional coordinator of Promotion of Church People's Response (PCPR)-Bikol.

The killing of Joel is an indication that church workers' promoting justice, peace and integrity of creation are no longer exempted from military brutalities under the Gloria Arroyo-Macapagal administration.

The UCCP through the Southern Luzon Jurisdiction during the meeting of the Jurisdictional Area Cabinet (JAC) composed of the seven (7) conference ministers headed by Bishop Eliezer Pascua, issued a statement calling for a church lead Fact Finding Mission inviting other church groups, human rights groups, multisectoral and people's organizations to join the mission.

## **OBJECTIVE:**

1. To gather facts surrounding the brutal killing of Joel Baclao and Generoso Sadullo;
2. Establish the facts of the case, the identity of the killers and the motive of the killings.
3. To be able to come up with a plan in pursuit for justice to Joel Baclao and other victims of human rights violations

## **COMPOSITION:**

The Fact Finding Mission group was composed of forty two (42) individuals coming from the church people, human right groups and the multisectoral organizational.

- a. Church: 18 individuals from United Church of Christ in the Phil. (UCCP)
  - 2 from National Council of Churches in the Phil. (NCCP)
  - 2 from Promotion of Church People's Response (PCPR)
  - 2 from KAIROS
- b. Human Rights Group:
  - 1 from Commission on Human Rights, Regional V
  - 2 from KARAPATAN-Albay
  - 2 from KARAPATAN-Bikol
- c. Multisectoral Group:
  - 1 from BAYAN-Albay
  - 1 from BAYAN-Bikol
  - 1 from KMP-Bikol
  - 1 from Anak ng Bayan
  - 1 from MIGRANTE
  - 1 from AMIHAN
  - 2 from AJDA
- d. Media:
  - 1 from DZGB
  - 1 from DZRC
  - 1 from ABS-CBN
  - 1 from Bombo Radyo
  - 1 from Bicol Express

## **METHODOLOGY:**

The three (3) Conference Ministers: Rev. Dave Olea of South Bicol Conference(SBC), Rev. Isaias S. Cabral of Palawan Mission Conference, and Rev. Dan San Andres of North Bicol Conference; Rev. Fr. Jun adriano of Redemptorist Church and Rey Matociños of Commission on Human Rights (CHR) Region V were the members of the negotiating panel.

KARAPATAN led the documentation team which were divided into three (3). Team A investigated the family of the victims, Team B interviewed the witnesses and Team C conducted an ocular inspection in the crime scene.

Before the FFM Team went to the area, the local members of UCCP in Lacag prepared the area and the persons identified to be interviewed by the team. They also informed the barangay officials in Brgy. Lacag regarding the FFM.

## **FFM FINDINGS:**

The group arrived at Sitio Abgao, Brgy. Lacag at 10:00 in the morning of November 19, 2004 to investigate the killing of Joel Baclao and Mr. Sadullo and proceeded to Evangelical Church where some of the witnesses and the family of Sadullo and Baclao were gathered for interview.

### **I. SADULLO'S KILLING:**

According to Mrs. Sadullo, the victim's wife was in Manila when her husband was killed. All she was that early morning last August 28, 2004, two CAFGU members captured by the NPA were released in their barangay. Mrs. Sadullo said they asked the Municipal Health Officer to conduct an autopsy on her husband but since it was a Sunday their request was denied. She already filed a claim at the DOJ and CHR.

### **II. BACLAO'S KILLING**

Based on the interview conducted:

- 1. Lim Neo**, an ex-barangay captain of Lacag said, that on November 10, 6:00 in the evening before the killing of Bacalo, he saw two motorcycles riding men arrived in their barangay all were wearing helmets and one of the back riders was believed to be a woman with long hair. The two indoro-type motorcycles colored red passed by Neo's house but they never came back. Also he said that he had known Joel Baclao as a good and respectable person. And that he never heard him having an enemy in Lacag or in their neighboring barangays.
2. According to the Brgy. Secretary Ester Luna of Brgy. Inarado, said that a tricycle driver went to her and reported that past 9:00 o'clock in the evening of November 10, 2004 he was at a store (owned by Macinas family) along the road of Brgy. Inarado (about 50 meters away from the intersection going to Joel' House) drinking red horse beer when an man carrying a long rifle pointed gun at him and demanded to bring him to Brgy Kituingan, in Camalig. While on the way, the man ordered him to proceed Barangay Taladong instead. The tricycle driver dropped his military passenger twenty-five meters away from the military detachment in Brgy. Taladong. Soon as the man disembarked from the tricycle, he fired his gun pointing upward.
3. The statement of the Brgy. Secretary was corroborated with that of the store owner, that he was in the store talking with the tricycle driver while he was drinking his one bottle of red

horse beer. According to Jerly Macinas, he saw the man barefooted, wearing ammo belt loaded with ammunition and was carrying a rifle. The unidentified armed man is about 5'4" tall and with fair complexion.

4. According to Orwena, Butch Javier, a friend of Joel (father of his son's classmate) warned Joel twice, saying that he should be extra careful because they were already in the "list". When asked during the FFM he only said that some of the residents were asking him what is Joel's work..He also admitted that they are closed friend because are both PTA's officer.

Team A went to the Baclao's resident to conduct an ocular inspection at the crime scene, together with is Rey Matociños of (CHR), Ptrs. Sam Divino, and Dan Balucio. Orwena reiterated (refer to fact sheet), Joel was shot outside their house which is about 4 meters away from their porch (see pictures#\_\_\_). She said, when the police investigators arrive last November 13, 2004 they found two empty shells of M14 bullets outside their fence. and in the night of the incident three (3) empty shells (smaller in size), 1 was found 1 meter away from Joel's fallen body and the other two were found at Joel's rights side. Orwena added that after the funeral of Joel, almost every night their dogs kept on barking and they still hear movements around their house.

#### **RECOMMENDATIONS:**

1. To further investigate the incident and the circumstances surrounding the killings;
2. To be able to come up with a dialogue with the PNP/military and the Local Government Unit regarding the actions they've made regarding the killings;
3. To transfer the family of Joel to a secured place. It is further recommended that Orwena and her two kids should undergo psycho-social therapy to relieve them from trauma they suffered from that tragic incident.